

PURCHASING AND LICENSING COMMITTEE

12-048-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 10A-5 OF THE DULUTH CITY CODE, 1959, AS AMENDED, RELATING TO THE SALE OF PULL-TABS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 10A-5 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 10A-5. Sale of pull-tabs.

(a) ~~In the playing of pull-tabs, no organization or person shall sell or purchase pull-tabs except in compliance with Minnesota statutes and regulations on a cash basis. Credit cards, checks and all other forms of consideration shall not be allowed, except that traveler's checks and money orders are acceptable;~~

(b) ~~In licensed liquor establishments, sales of pull-tabs must cease at least 15 minutes before sales of alcoholic beverages are required by law to cease. A jar operator may refuse to sell pull tabs to any person if the jar operator believes such sale would be in violation of any law or regulation;~~

(c) ~~Pull-tab sales are also subject to the restrictions contained in Section 8-24 of this Code. The jar operator shall hand the pull tabs that are purchased to the player. A player shall never be allowed to reach into the container to select pull tabs;~~

(d) ~~Pull-tabs shall be sold only in business establishments that are licensed to sell on sale intoxicating liquor, or on sale 3.2 malt liquor. Under no circumstances shall a jar operator assist a player in the opening of pull-tabs;~~

(e) ~~No jar operator may sell or player may buy more than 50 pull tabs in any single transaction;~~

(f) ~~No person shall evade or circumvent or attempt to evade~~

~~or circumvent any of the provisions of this Article or any state law or regulation by having someone else purchase pull tabs for such person;~~

~~(g) No jar operator or other gambling employee of the organization operating the gambling shall either orally, in writing or otherwise provide any information to any other person about the total number of winners played or the number or denominations of winners left in the jar, except that the jar operator may post in clear legible type the number of winners redeemed;~~

~~(h) No single deal of pull tabs which has been closed out shall thereafter be returned to play;~~

~~(i) In licensed liquor establishments, sales of pull tabs must cease at least 15 minutes before sales of alcoholic beverages are required by law to cease;~~

~~(j) Pull tab dispensing devices as defined in Minnesota Statutes, Chapter 349.12, may be used for the sale of pull tabs, but subject to the restrictions contained in Section 8-24 of this Code and subject to the provisions of Minnesota Rules Section 7861.0080, subpart 2.N;~~

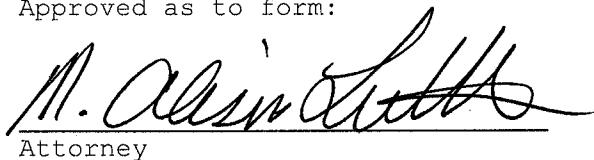
~~(k) Pull tabs shall be sold only in business establishments that are licensed to sell intoxicating liquor or 3.2 malt on sale.~~

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved for presentation to council:


Del Martz
Chief Administrative Officer

Approved as to form:


M. Alan Smith
Attorney

Approved:


Wm
Auditor

ATTY MAL:cjk 7/25/2012

STATEMENT OF PURPOSE: The regulation of the sale of pull-tabs has been substantially pre-empted by state statute and regulation. This ordinance eliminates those provisions of the current code that are pre-empted and retains and reorders those provisions that remain within the authority of the city to regulate.